

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4306 RED RIVER STREET IN THE HANCOCK NEIGHBORHOOD PLAN AREA FROM LIMITED OFFICE-MIXED USE-NEIGHBORHOOD PLAN (LO-MU-NP) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-MU-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2012-0065, on file at the Planning and Development Review Department, as follows:

A 0.34 acre tract of land, more or less, out of Block 22, Ridgetop Annex, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 4306 Red River Street in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district and other applicable requirements of the City Code.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The following uses are prohibited uses of the Property:

|                                   |                               |
|-----------------------------------|-------------------------------|
| Alternative financial services    | Consumer convenience services |
| Communication services facilities | Counseling services           |
| Financial services                | Food sales                    |
| Local utility services            | Off site accessory parking    |

Personal improvement services  
Plant nursery  
Restaurant (limited)  
Safety services  
Urban farm  
Club/Lodge  
College and university facilities  
Community recreation (private)  
Guidance services  
Residential treatment

Pet service  
Printing and publishing  
Restaurant (general)  
Service station  
Community recreation  
Custom manufacturing  
Community events  
Community recreation (public)  
Hospital services (limited)  
Special use historic

B. The following are conditional uses of the Property:

Community garden  
Day care services (commercial)  
Bed & Breakfast (Group 1)  
Medical offices-not exceeding  
5,000 sq. ft. gross floor area

Day care services (general)  
Family home  
Bed & Breakfast (Group 2)

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district, the mixed use combining district, and other applicable requirements of the City Code.

**PART 4.** The Property is subject to Ordinance No. 040826-59 that established the Hancock neighborhood plan combining district.

**PART 5.** This ordinance takes effect on \_\_\_\_\_, 2012.

**PASSED AND APPROVED**

www

\_\_\_\_\_, 2012

Lee Leffingwell  
Mayor

**APPROVED:**

**Karen M. Kennard**  
City Attorney

**ATTEST:**

Shirley A. Gentry  
City Clerk

EXHIBIT A

DESCRIPTION OF 0.34 ACRES, MORE OR LESS, OF LAND AREA BEING A PORTION OF BLOCK 22, RIDGETOP ANNEX, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RECORDED IN VOLUME 2, PAGE 211 OF THE TRAVIS COUNTY PLAT RECORDS, BEING A PORTION OF THAT TRACT DESCRIBED IN A DEED TO PAUL E. GREEN, DATED JUNE 5, 1968 AND RECORDED IN VOLUME 3485, PAGE 1154 OF THE TRAVIS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a  $\frac{1}{2}$ " iron rod set in the northwest line of Red River Street at the common south corner of this description, the west corner of that tract described as 1,000 square feet in a deed to The City of Austin, dated July 2, 1968 and recorded in Volume 3503, Page 1454 of the Travis County Deed Records, the north corner of that tract described as 414 square feet in a deed to The City of Austin, dated June 7, 1967 and recorded in Volume 3303, Page 2179 of the Travis County Deed Records and the east corner of that tract described in a deed to E.T. McGregor, recorded in Volume 5539, Page 1843 of the Travis County Deed Records;

THENCE leaving the PLACE OF BEGINNING and the northwest line of Red River Street with the common southwest line of the Green Tract and the northeast line of the McGregor Tract N59°15'49"W 130.28 feet to a  $\frac{1}{2}$ " iron rod set at the common west corner of the Green Tract and the south corner of that tract described in a deed to E.T. McGregor, dated October 1, 1984 and recorded in Volume 8842, Page 75 of the Travis County Deed Records;

THENCE leaving the northeast line of the McGregor Tract recorded in Volume 5539, Page 1843 with a common northwest line of the Green Tract and the southeast line of the McGregor Tract recorded in Volume 8842, Page 75, N29°58'01"E 60.00 feet to a calculated point which falls in a chain link fence corner post for an interior corner of the Green Tract and the east corner of the McGregor Tract;

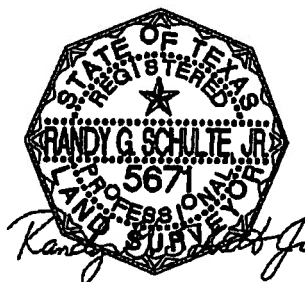
THENCE with the common northerly southwest line of the Green Tract and the northeast line of the McGregor Tract N59°05'31"W 40.10 feet to a  $\frac{1}{2}$ " iron rod found for the common northerly west corner of the Green Tract and the south corner of that tract described in a deed to Duke M. Covert ET AL, dated January 31, 1978 and recorded in Volume 6061, Page 292 of the Travis County Deed Records;

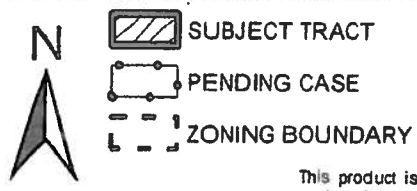
THENCE leaving the northeast line of the McGregor Tract with the common northerly northwest line of the Green Tract and the southeast line of the Covert Tract N30°37'43"E 39.51 feet to a  $\frac{1}{2}$ " iron pipe found at the common north corner of the Green Tract and the west corner of that tract described in a deed to Marvin Floyd Henderson, dated December 30, 1986 and recorded in Volume 10035, Page 151 of the Travis County Real Property Records;

THENCE leaving the southeast line of the Covert Tract with the common northeast line of the Green Tract and the southwest line of the Henderson Tract S59°25'00"E (this course being the bearing basis for this description) 170.34 feet to a  $\frac{1}{2}$ " iron rod set in the northwest line of Red River Street at the common east corner of this description and the north corner of the previously mentioned City of Austin 1,000 square feet Tract;

THENCE crossing the Green Tract with the common southeast line of this description, the northwest line of the City of Austin 1,000 square feet Tract and the northwest line of Red River Street S30°13'59"W 99.82 feet to the PLACE OF BEGINNING.

There are contained within these metes and bounds 0.34 acres, more or less, of land area as prepared from public records and a survey made on the ground on May 31, 2012 by Exacta Texas Surveyors, Inc. All  $\frac{1}{2}$ " iron rods set are capped with a plastic cap stamped "EXACTA 101739-00".





**ZONING**  
**ZONING CASE#: C14-2012-0065**

Exhibit B



1"=200'

This product is for informational purposes and may not have been prepared for or be suitable for legal engineering or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.